

DEMON S. DECKER.

JUNE 2, 1910.—Ordered to be printed.

Mr. WARREN, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 23388.]

The Committee on Military Affairs, which has had under consideration the bill (H. R. 23388) for the relief of Demon S. Decker, reports favorably thereon and recommends that the bill be passed when amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Demon S. Decker, who was a first lieutenant of Company G, Fifty-sixth Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a first lieutenant of said company and regiment on the third day of April, eighteen hundred and sixty-four: *Provided*, That, other than as above set forth, no bounty, pay, pension, or other emolument shall accrue prior to or by reason of the passage of this Act.

This soldier served almost three years and made an excellent record, rising from a noncommissioned office to a first lieutenancy. He was finally tried by a general court-martial for disrespect toward a superior officer, found guilty, and sentenced to dismissal.

Because of his long and faithful service during the war period, your committee is of the opinion that he should be granted the rights, privileges, and benefits enjoyed by soldiers who were honorably discharged from the service, and submits in support of its opinion the following extract from letter of The Adjutant-General and the soldier's statement of the case, which statement is verified by the papers filed with your committee:

[Extract from letter of The Adjutant-General.]

It is shown by the official records that Demon S. Decker was enrolled July 10, 1861, and was mustered into service August 29, 1861, as first sergeant, Company F, Fifty-sixth New York Infantry, to serve three years; that he was appointed sergeant-major of the regiment and transferred to the noncommissioned staff January 18, 1862; that he was transferred to Company I, same regiment, and mustered into service as second lieutenant thereof to take effect from February 8, 1862; and that

he was transferred to Company G, same regiment, and mustered into service as first lieutenant thereof to date from November 1, 1862. He was tried and found guilty by a general court-martial of conduct unbecoming an officer and a gentleman, of disobedience to orders and of disrespect toward his superior officer, and was thereupon sentenced to be dismissed the service of the United States. The proceedings, findings, and sentence in his case were approved and promulgated in orders dated April 3, 1864, pursuant to which he was separated from the military service of the United States.

[The Soldier's Statement of the Case.]

PINE BUSH, N. Y., *April 21, 1909.*

DEAR SIR: I wrote a letter criticising the military character of Col. C. H. Vanwyck, of the Fifty-sixth New York State Volunteers, which was published in the Monticello Watchman, which was a breach of military discipline and disrespectful to my superior officer, and as I look upon it now, know I should not have done it.

Nine-tenths of the officers, especially the original ones and the best ones, were fighting Colonel Vanwyck on account of his lack of discipline and military knowledge which brought a regiment composed of first-class officers and enlisted men in bad repute and without military standing in the army. We all felt the sting, and I listened to the advice of others and wrote the letter.

I always performed my whole duty on all occasions, in presence of the enemy and in battle. There were no charges preferred against me for neglect of duty, incompetency, or cowardice.

After Colonel Vanwyck preferred charges against me he declared in the presence of other officers that I was reliable, trustworthy, and to be depended upon.

I was court-martialed and dismissed, but with pay and allowances.

Very truly, yours,

D. S. DECKER.

HON. THOMAS W. BRADLEY,
Washington, D. C.

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